



MINUTES

BOARD OF SUPERVISORS, COUNTY OF MONO

STATE OF CALIFORNIA

Regular Meetings: The First, Second,
And Third Tuesday of each month

REGULAR MEETING
November 8, 2005

County Courthouse
Bridgeport, California 93517

9:00 a.m. Called to order by Chairman, Supervisor Byng Hunt

Pledge of Allegiance led by Supervisor Vikki Bauer

OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD

Sally Miller:

Wilderness Area discussions. Expressed concerns of administrative decision to open wilderness areas to snowmobiling. Would have liked a legislative decision rather than an administrative decision. Chairman requests the issue brought back to the board in the first meeting of December for further discussion and potential decision.

DEPARTMENT REPORTS/EMERGING ISSUES

No one spoke

COUNTY ADMINISTRATIVE OFFICE

1)
CAO Report
and Tracking
Report

CAO Report and Tracking Report re Board Assignments **(David Wilbrecht)**

ACTION: Receive brief oral report by County Administrative Officer (CAO) regarding his activities. Review and potentially revise Tracking Report of Board assignments.

Working with Forest Service on Exchange Parcel and the existing church tenant.

Department Head Meeting in Mammoth. Group is working hard to get things accomplished.

CLOSED SESSION

2a)
Labor
Negotiations

CONFERENCE WITH LABOR NEGOTIATORS (MCPE). Government Code §54957.6. Agency designated representatives: David Wilbrecht, Marshall Rudolph, and Robert Garret. Employee organizations: Local 39 (MCPE, DPOU), Paramedic Fire and Rescue Association, Sheriff's Officers' Association (DSA), Sheriff Department Management Association, Public Safety Officers Association, Management Council. Unrepresented employees: County Administrator, County Counsel, Deputy County Counsel, Mental Health Director, Social Services Director, Public Health Director, Health and Human Services Director, Human Resources Manager, Health Officer, Psychiatrist, Assistant Public Works Director, Project Manager, Assistant District Attorney, District Attorney Chief Investigator, Assistant Treasurer-Tax Collector, Assistant Auditor-Controller, IT Director, Building Official, Budget & Organization Analyst, Assistant Clerk-Recorder, Probation Officer, and Child Support Director.

3) CONFERENCE WITH LEGAL COUNSEL-EXISTING LITIGATION. Government

Code §54956.9(a). Name of Case: United States of America and Walker River Paiute Tribe v. Walker River Irrigation District (U.S. Dist. Ct., Nevada District, Case No. C-125).

- 4) PUBLIC EMPLOYEE PERFORMANCE EVALUATION. Government Code §54957.
Title: County Counsel.
The Board took a recess from 10:00 a.m. to 10:15 a.m.

- 5) **APPROVAL OF MINUTES:**
Approval of Minutes
Regular Meeting of October 18, 2005
Approved as presented
Cecil/Bauer 5-0

CONSENT AGENDA

COUNTY COUNSEL

- 6) **Bequest to Bridgeport Animal Shelter**
Bequest
Bridgeport
Animal Shelter
M05-209
ACTION: Accept bequest from the June B. Thomas Trust on behalf of the Bridgeport Animal Shelter; Authorize the Chair of the Board to execute Receipt and Release Agreement; Direct the Clerk of the Board to mail the Receipt and Release Agreement to James and Grace Dempster, Trustees of the June B. Thomas Trust.
Farnetti/Hazard 5-0

ADDENDUM ITEM COUNTY ADMINISTRATION/HUMAN RESOURCES

- 13) Ordinance to Amend Section 2.04.030 of the Mono County Code (Robert Garret)
Board of Supervisors Compensation
ORD05-07
ACTION: Adopt the Ordinance amending Section 2.04.030 of the Mono County Code pertaining to the compensation of the Board of Supervisors.
Farnetti/Hazard 5-0

REGULAR AGENDA

BOARD OF SUPERVISORS

- 8) Crop Report (George Milovich)
Crop Report Informational only
ACTION: Informational Only.

George Milovich provided a bound copy of the 2004 Annual Crop and Livestock Report. He summarized the contents of that report.

TREASURER / TAX-COLLECTOR

- 9) TOT Audit Appeal (Mark Magit, Rosemary Glazier)
TOT Audit Appeal
ACTION: Present Transient Occupancy Tax Audit Appeal on behalf of Lee Vining Motel, Owner/Operator Mike Pinizzotto.

Brief summary by Mark Magit, Deputy County Counsel. Described process, amounts, due and separated between principle, penalties, and interest.

M05-210

Mike Pinizotto spoke and objected not to the principle, penalties and interest as calculated, but as to timing.

TOT Appeal of
Mike Pinizzoto,
Lee Vining
Hotel Denied
after testimony
taken.

Discussion with the Board – Questions and Answers

Consensus to let the interest and penalties stand. Refused the Appeal.

Farnetti/Cecil 5-0

PUBLIC WORKS

10a)

Extension of
Access
Agreement at
the Benton
Crossing
Landfill

Extension of Access Agreement at the Benton Crossing Landfill **(Evan Nikirk)**

ACTION: Approve a time extension to the agreement with Sierra Nevada Construction, Inc., for temporary access to, and use of premises at, the Benton Crossing Landfill and authorize the Director of Public Works (in consultation with County Counsel) to execute and administer an amendment effectuating said extension. Until July 31, 2006.

M05-211

Board Discussion of wind problems and visual pollution. Supervisor Bauer not happy with the contract in the first place and not happy with an extension of the contract to allow the crushers and the fill piles to remain.

Farnetti/Hazard 4-0 No: Bauer

10b)

Consulting
Contract for
Design of Site
and
Landscaping
Improvements
at Crowley
Lake and Lee
Vining
Community
Centers

Consulting Contract for Design of Site and Landscaping Improvements at Crowley Lake and Lee Vining Community Centers **(Kelly Garcia)**

ACTION: Approve and authorize the Public Works Director (in consultation with County Counsel) to negotiate and execute a consulting agreement with CFA, Incorporated, to provide design services for site and landscaping improvements at the Crowley Lake and Lee Vining Community centers for an amount not to exceed \$59,285.00. This authorization shall include making minor amendments to said contract from time to time as the Public Works Director may deem necessary, provided such amendments do not substantially alter the scope of work or budget and are approved as to form by County Counsel.

Approve
phase 1,
topographic
portion of the
project.
\$10,395

Table until the 1st or 2nd meeting of December. Board wants more detail

Request by Evan Nikirk for the Board to at least approve the Topographic portion of this contract or at least to go out to bid for this topographic portion.

Cecil/Hazard 5-0

M05-212

COUNTY ADMINISTRATION / HUMAN RESOURCES

11a)

Resolution
Amending List
of Allocated
Positions
R05-091

Resolution Amending List of Allocated Positions **(Robert Garret)**

ACTION: Consider and potentially adopt the proposed **Resolution No. R05-091** amending the County of Mono list of Allocated Positions to add One (1) Part-time, "At-Will", Public Health Nursing Professional position to the Public Health Department in the Health & Human Services Agency.

Cecil/Farnetti 5-0

11b)
Employment
Contract;
Carolyn Balliet

R05-092

Resolution Approving Employment Contract; Carolyn Balliet (**Robert Garret**)
ACTION: Consider and potentially adopt proposed **Resolution No. R05-092** approving an employment agreement with Carolyn Balliet and prescribing the compensation appointment, and conditions of said employment.
Hazard/Cecil 5-0

Re-enter
Closed Session

Board entered Closed Session at the hour of 11:40 a.m.

Close Session ended at the hour of 12:10 p.m. with nothing reported.

Lunch Recess was taken from 12:10 p.m. to 1:05 p.m.

1:05 p.m. OPPORTUNITY FOR THE PUBLIC TO ADDRESS THE BOARD
NONE.

Public Hearing
Opened: 1:43 p.m.
No one spoke.
Closed: 1:43 p.m.

COMMUNITY DEVELOPMENT, COUNTY COUNSEL

12a)
Public
Facilities
Dev. Impact
Fees
Resolution

R05-093

Public Facilities/Development Impact Fees Resolution (**Charles Long, Scott Burns, and Mark Magit**)
ACTION: Adopt a **Resolution No. R05-093** authorizing the implementation of public facilities/development impact fees on development projects in the southern area of the County for capital improvements including Sheriff, Library, recreational, and government facilities and infrastructure; and for traffic and drainage improvements in June Lake and Crowley Lake/Long Valley;
Make Findings for CEQA exemptions and categorical fee exemptions:
Cecil/Bauer 5-0

Public Hearing

Opened: 1:26 p.m.

Speakers: Tim Hansen, Mono Lake. Disagreed with boundary line at Conway Summit. Believes entire County should bear the burden or in the alternate, make the boundary at June Lake.
Charles Long: Spoke about the Boundary and fairness issues. The line is discretionary for the Board, but if not included in the southern portion, should be included in northern proposed portion.
Rich McAteer: urged the Board to adopt the ordinance and the resolution as the impact is being felt and as the areas further south develop, the impact will be even greater.

Closed: 1:38 p.m.

Board Discussion:

12b)
Public
Facilities
Dev. Impact
Fees Ord.

Public Facilities/Development Impact Fees Ordinance (**Charles Long, Scott Burns, and Mark Magit**)

ORD05-08

ACTION: Adopt proposed **Ordinance No. ORD05-08** authorizing the implementation of public facilities/development impact fees. Provide desired direction to staff.
Hazard/Farnetti 5-0

Board to make findings that Ordinance is exempt from CEQA requirements.

12c)
Establishment
of Mono
County
Housing
Authority

Establishment of Mono County Housing Authority (**Mark Magit, Scott Burns**)

R05-094

ACTION: Adopt a **Resolution R05-094** determining the need for the Mono County Housing Authority, establishing the Mono County Housing Authority, and declaring that the Board of Supervisors shall be the commissioners of the Mono County Housing Authority; provide further direction to staff.

Hazard/Cecil 5-0

Staff Report by Mark Magit.

Daniel Steinhagen (IMACCA) spoke on behalf of forming the housing authority

Recess from 2:30 p.m. to 2:35 p.m.

Re-enter
Closed Session
2:37 p.m.

The Board entered closed session at the hour of 2:37 p.m. The Board was joined by
Exit Closed session: 3:15 p.m.
No report from closed session.

3:15 p.m.

ADJOURNMENT

Adjourn meeting and reconvene in regular session of **November 15, 2005**, at the hour of 9:00 a.m. in the Board Chambers, County Courthouse, Bridgeport, California.
